



APPLICATION FOR A STANDARD AQUACULTURE LEASE

NET PEN AQUACULTURE

DISCHARGE

This is an application for a standard aquaculture lease, using net pen culture. A standard aquaculture lease may be up to 100 acres in size and may be issued for a term of no longer than ten years. You are encouraged to review the aquaculture lease regulations to obtain a more complete understanding of the lease process. Applications, rules and statutes are all available at the DMR website – www.maine.gov/dmr/aquaculture

YOU ARE REQUIRED TO ATTEND A PRE-APPLICATION MEETING WITH THE DEPARTMENT PRIOR TO CONDUCTING FIELD WORK AND COMPLETING THE APPLICATION. CALL THE AQUACULTURE ENVIRONMENTAL COORDINATOR, JON LEWIS, AT 207-633-9500 TO SET UP A MEETING. AN APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL A PRE-APPLICATION MEETING IS HELD.

Following the Maine Department of Marine Resources (“MDMR”) application are supplemental requirements and procedures which are part of a joint Federal and State of Maine effort to facilitate the processing of applications for suspended aquaculture permits. Permitting agencies covered by the supplemental application requirements and procedures are:

U.S. Army Corps of Engineers New England Division, ACOE
(Section 10 of the Rivers and Harbors Act of 1899);

State of Maine Department of Environmental Protection, MDEP
(38 M.S.R.A. § 413, Waste Discharge Program).

The Maine Department of Marine Resources requires a **non-refundable** fee for aquaculture applications based on acreage:

Less than 1acre \$ 100	1 to 10 acres \$ 250	11 to 50 acres \$ 500	51 to 100 acres \$ 1000
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Mailing Instructions:

Provide one copy of your application to the MDMR address listed below. The applicant shall be notified upon receipt when the application has been reviewed and accepted as complete by the MDMR.

DEPARTMENT OF MARINE RESOURCES
ATTN: Mary Costigan, Aquaculture Administrator
P.O. Box 8
West Boothbay Harbor, Maine 04575

Provide one copy of your application for the Maine Department of Marine Resources, **a completed U.S. Army Corps of Engineers application form [ENG Form 4345 (attached)]**, the U.S. Army Corps of Engineers Supplemental Information, and U.S. Environmental Protection Agency Supplemental Information to the U.S. Army Corps of Engineers New England Division, address listed:

U.S. ARMY CORPS OF ENGINEERS
MAINE PROJECT OFFICE
ATTN: Aquaculture Coordinator
RR 2, Box 1855
Manchester, ME 04351

Provide one copy of your application for the Maine Department of Marine Resources plus U.S. Army Corps of Engineers Supplemental Information and Maine Department of Environmental Protection Supplemental Information to the Maine Department of Environmental Protection, address listed:

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
Attn: Aquaculture Permit Coordinator
Department of Environmental Protection
State House Station #17
Augusta, ME 04330

Please contact Dennis Merrill at 207-287-7788 (dennis.l.merrill@maine.gov) prior to completing the NPDES portions of this form to clarify current requirements for discharge permits.

A. THE LEASE APPLICATION PROCESS: WHAT TO EXPECT

The following information outlines the process leading to the approval of an aquaculture lease. For more specific information, see the DMR regulations, Chapter 2 and 12 M.R.S.A. § 6072.

1. **Pre-application Meeting.** Prior to completing your application, please contact the Department to set up a pre-application meeting. Applications submitted without a pre-application meeting will not be considered complete.
2. **Submit Application.** Applicant submits application to Department of Marine Resources. DMR will make a determination as to whether or the not your application is complete. If incomplete, you will receive a letter asking for further information. If complete, DMR will forward your application to other regulatory agencies, the municipality and riparian landowners.
3. **Public Scoping Session.** DMR will determine whether or not to conduct an informal public scoping session on the application. The applicant is required to attend the scoping session. A decision of whether or not to conduct a public scoping session will be made after an application is deemed complete.
4. **DMR Site Review.** You will be contacted to schedule a site review of your proposed lease area. This review will be an on-site inspection of the proposed lease area. A number of environmental measurements and a SCUBA dive will be made on the site. Your presence at the site review will be requested. DMR staff will develop a report of the site review. Site reviews must take place between April 1st and November 15th.
5. **Public Hearing.** An adjudicatory aquaculture lease hearing is a requirement for all applicants under the MDMR Aquaculture Lease Regulations. MDMR 12 M.R.S.A. §6072(6).
6. **Public Notice.** The applicant shall give at least 2 weeks notice of the hearing by publication of an advertisement in a newspaper of general circulation that serves the area in which or adjacent to which the lease is proposed. The advertisement must state, at a minimum, the location, date, time, and purpose of the hearing and must indicate how a copy of the application and the department site review may be obtained (Sec. 2. M.R.S.A. §6072, sub-§6, ¶D). The applicant **must** bring a copy of the public notice to the public hearing and present it to the Hearings Officer. At least **60** days prior to the public hearing, the applicant shall place visible markers which delineate the area proposed to be leased.
7. **Decision.** The DMR Hearings Officer will prepare a report including proposed findings of fact, conclusions of law, and if requested by the Commissioner, a recommended decision to grant or deny the lease. The Hearing Officer's proposed decision will be sent to all legal parties, who will have ten days to comment on the proposed decision. The Commissioner will make a final decision to grant or deny the lease within 120 days of the public hearing.

8. **Requirements After a Lease is Granted.** The lessee must:
- Establish an escrow account or secure a performance bond in the amount required by DMR in the lease.
 - Record the lease in the Registry of Deeds of each county in which the lease area is located. (DMR will assist you with this requirement).
 - Publish a notice in a newspaper of general circulation in the area affected. (DMR will assist you with this requirement).
 - Mark the lease site with the appropriate buoys. (DMR regulations, Chapter 2.80)
 - Submit to the Commissioner an annual report of lease activities.
 - Pay the annual rental fee of \$50 per acre.
9. **Revocation.** The Commissioner may commence revocation procedures if he determines that substantial aquaculture has not been conducted within the preceding year or that the lease activities are substantially injurious to marine organisms. If any of the conditions or requirements of a lease are not being observed, the Commissioner may revoke the aquaculture lease. 12 M.R.S.A. § 6072(11).
10. **Transfer.** A lessee may apply for Department approval of the transfer of his aquaculture lease to another person for the remaining portion of the lease term. A lease transfer shall be an adjudicatory proceeding.
11. **Renewal.** A lessee must file with the Department an application to renew a lease no later than 6 months prior to the lapse of the prior lease. Renewal of a lease shall be an adjudicatory proceeding.

B. REQUIREMENTS AND RESTRICTIONS

Aquaculture lease must comply with the following state and federal regulations:

- Essential Habitats and Eagle Nests:** Aquaculture leases generally must not be closer than 1/4 mile from eagle nests or Essential Habitats as regulated by Maine Department of Inland Fish & Wildlife (MDIF&W) under authority of the Maine State Endangered Species Act and in accordance with guidelines of other endangered and threatened species developed by MDIF&W. MDIF&W Essential Habitat Maps are available **for review** at the following offices: MDIF&W Regional Offices, county government, Registrar of Deeds offices, affected town offices, Regional Planning Commission offices and many state agencies. The maps are also available on the MDIF&W website at www.maine.gov/ifw. Maine State Endangered Species Act 1975, 12 M.R.S.A. §7751 et seq.
- Salmon imports prohibited.** It is unlawful to import for introduction into any waters of the State any Atlantic salmon, live or as eggs, that originate in any Icelandic or European territorial waters or any other species of salmon, exclusive of rainbow trout, originating west of the North America continental divide. After January 1, 1995, it is unlawful to introduce into any waters of the State any Atlantic salmon that originate in any Icelandic or European territorial waters or any other species of salmon, exclusive of rainbow trout, originating west of the North America continental divide including any fish raised within the State from eggs or broodstock that are subject to the import prohibition under this subsection. The commissioner may grant an exemption from the provisions of this subsection for a term not to exceed two years, renewable upon application, for legitimate research. Legitimate research does not include pilot,

demonstration or full-scale aquaculture production of salmon in the coastal waters of the State. MDMR 12 M.R.S.A. §6071(4).

3. **Lease Required:** Except as provided in paragraphs B and B-1 of 12 M.R.S.A. § 6072, it is unlawful for a person who does not have a lease issued by the commissioner under this section to construct or operate in the coastal waters of the State a facility for the culture of finfish in net, pens or other enclosures or for the suspended culture of any other marine organism. MDMR 12 M.R.S.A. §6072(1-A).
4. **Water Quality Classification:** The State's Water Classification Program prohibits any discharge into Class SA waters. Review MDEP Water Classification Program for restricted areas as described in 38 M.R.S.A. Article 4-A.
5. **Water Discharges:** Review 38 M.R.S.A. § 413 for information regarding National Pollution Discharge Elimination System Permits.
6. **Monitoring.** Monitoring is required for all net pen aquaculture leases through the Finfish Aquaculture Monitoring Program (FAMP). Due to the continually evolving science of environmental monitoring, the requirements set forth a general framework to be considered by the Finfish Aquaculture Monitoring Program. A copy of the FAMP document is available upon request.

C. LEASE CONDITIONS

Upon lease issuance, the following conditions will apply:

1. The applicant shall comply with the requirements of the Finfish Aquaculture Monitoring Program (FAMP).
2. The applicant shall obtain a National Pollution Discharge Elimination Permit in accordance with The Maine Department of Environmental Protection's *Waste Discharge Law 38 M.R.S.A. §413*.
3. The applicant must comply with the New England Salmonid Health Guidelines or State Fish Health Rules (Chapter 24 of the Department's Regulations), whichever are more restrictive. In order to transfer or import fish or eggs, a Transfer Permit must be obtained from the MDMR. The health guidelines must be met before a Transfer Permit can be issued. MDMR 12 M.R.S.A. §6074(7).
4. A condition of maintaining a MDMR finfish aquaculture lease is the payment of a 1 cent per pound harvest fee paid monthly along with the submission of the designated production report form. MDMR 12 M.R.S.A. §6078(3).
5. The Commissioner may establish additional conditions that govern the use of the lease area and impose limitations on aquaculture activities.

D: APPLICATION COVER SHEET

Name: _____

Address: _____

City: _____

County: _____

State, zip _____

Telephone: business _____ home _____ cell _____

Email address: _____

Date of Pre-application meeting: _____

town

county

waterbody

Location of lease site: _____

Total acreage requested: _____
(100-acre maximum)

Lease Term requested: _____
(10-year maximum)

Name of species to be cultivated, common and scientific names:

Name and address of the source of seed stock, juveniles, smolts, etc., to be cultivated:

Amount of application fee enclosed: _____

I hereby state that the information included in this application is true and correct and that I have read and understand the requirements of the Department's rules governing aquaculture.

Signature: _____ Date: _____

D. APPLICATION INFORMATION REQUIREMENTS

Answer all questions under each Section as completely as possible.

This application includes questions on general information, site location, site development, operation, baseline field survey, area resources, surrounding area use, technical capabilities, financial capabilities, and a list of certifications, licenses, etc.

Definitions from the MDMR Aquaculture Lease Regulations:

Aquaculture: The culture or husbandry of marine organisms by any person. Storage or any other form of impounding or holding wild marine organisms, without more, shall not qualify as aquaculture. In order to qualify as aquaculture, a project must involve affirmative action by the lessee to improve the growth rate or quality of the marine organism.

Culture or Husbandry: The production, development or improvement of a marine organism.

Riparian Owner: A shorefront property owner whose property boundaries are within 1000 feet of the proposed lease boundaries.

Existing or Potential Uses: All water-related activities and resources including, but not limited to, commercial and recreation fisheries, marine transportation, aquaculture, and boating.

Adverse Effects: Impediments to water-related activities or unreasonable interference with natural processes supporting those activities. This includes, but is not limited to, floating or submerged obstruction, habitat destruction, natural flora and fauna displacement, current flow alteration, and lowered water quality.

Please read all instructions before completing. Applications must be typed and **reproducible**. Please use 8 1/2" x 11" paper with a 3/4" margin at the top; **use the numbering system listed for each item requested**. All drawings, charts and plans must adequately show the proposed project. It is recommended that any plans, drafts, charts, etc., be certified by a professional engineer.

1. SITE LOCATION

- a. Vicinity Map
Use a NOAA chart or USGS Topographic map to show the waters and shorelands within the general vicinity of the lease tracts depicting the lease area.
- b. Plan View
An enlargement of a NOAA chart or USGS Topographic map is suggested to provide this information. Exact location of lease described as follows:
 1. Mark entire lease boundary.
 2. Show depth contours and indicate mean low water and mean high water on all land adjacent or nearest site.
 3. Show primary ebb and flood directions.
 4. Mark true north with arrow.
 5. Include scale used.
 - 6a. Label the location of Federal projects, navigational channels, any structures, existing aquaculture leases within 2000 feet or state or federal beaches, parks or docking facilities within 1000 feet.
6. Provide the latitude, longitude and State Plane Coordinates for each corner of the entire lease or the metes and bounds of the lease.

2. SITE DEVELOPMENT

This section is intended to provide accurate plans depicting the physical structures to be placed on the proposed operation.

- a. Single Pen Schematic - Top View
Provide dimensions, materials, labels, etc.
- b. Single Pen Schematic - Cross Section
Provide dimensions, materials, labels, etc.
- c. Pen System Schematic - Top View
Provide dimensions, mooring connections, labels, etc.

- d. Pen System Schematic - Cross Section
Provide dimensions, mooring connections, labels, etc.
- e. On-Site Support Structures
 - 1. Describe structures such as barges, sheds, etc., to be located on-site.
Provide a schematic and indicate the dimensions, including height above sea level, materials, etc.
 - 2. Describe the storage and use of oil, gasoline or other hazardous material on this facility. If petroleum products are to be used, provide a spill prevention plan.
 - 3. Describe the type and location of any sanitary facility.
- f. Mooring Plan - Cross Section
Provide a schematic and description of materials of the mooring system in place on the sea-floor. Include depths from structure(s) to sea-floor relative to MLW and MHW.
- g. Mooring System Adequacy
Provide a schematic of the mooring array for a pen system and a description of its ability to withstand severe storms, surge, equipment break-up, etc. Include dimensions and materials, etc.
- h. Pen System and Mooring Array Schematic - Maximum Structure Array
Provide a schematic of the maximum area to be utilized by structure(s) and moorings on the proposed lease.
- i. Equipment Layout
Provide schematic or photographic renderings of the generalized layout of the equipment as depicted from two vantage points on the water. Provide the locations of the two vantage points.
- j. Gear Color
Provide the color of the gear and structures proposed to be used at the lease site.

3. OPERATIONS

- a. Production Activities
 - 1. List and describe your proposed activities including boat traffic, feed schedule, feed techniques, monitoring schedule, transport schedule, predator control methods, net cleaning and maintenance (methods, frequency and location), antibiotic usage, harvest schedule, harvest technique and processing methods.

2. Describe the start-up and projected maximum production on a 12-month basis per pen and system. State the maximum stocking density in pounds per cubic foot.
3. Estimate the monthly pounds of feed per pen system over 12 months at start-up and maximum production.
4. Provide documentation that the equipment that will be used on the lease site is the best available technology for the proposed activity.

b. Noise and Light

1. Provide the type of powered equipment, if any, that will be used on site, including, but not limited to boats, barges, power washers, generators, upweller motors, harvesting or seeding equipment, and feeding equipment. Vessels moving to and from the site are considered exempt from the noise impact consideration.
2. Indicate generally when, how often and for how long this equipment will be used (i.e. daily, weekly, only during harvesting).
3. Specify what will be used to reduce the noise level from the powered equipment, i.e., mufflers, etc. You do not need to provide decibel or frequency ratings unless they are known or provided by the equipment manufacturer.
4. Provide the number, type (whether the fixtures are shielded), wattage and location of lights, other than those used for navigation or marking, that will be used at the proposed lease site.
5. Indicate under what circumstances you might work at your site beyond daylight hours.

4. ENVIRONMENTAL BASELINE FIELD SURVEY

All proposed operations will require on-site field studies to characterize existing environmental conditions as reference data for future comparisons after operation start-up. The Baseline Field Survey includes components for diver observation, hydrography, water quality, benthic analyses, sediment analyses, and macro-faunal communities. Please use the same numbering system provided in this application to report the Baseline information requested.

The MDMR aquaculture lease regulations specify applicants may do more than one site evaluation, but one evaluation must be completed between April 1 and November 15, dates inclusive.

a. Diver Survey

Objective: To determine the relative abundance of the macro-fauna/flora, sediment type, and other unique features of the substrate including Beggiatoa species or like species, epibenthic algae layers, prominent ledges, depressions, etc., prior to an operation start-up.

Methods: Except as provided below a diver survey shall be documented with a video camera. The dive should be conducted along the axis of current and through the center of the proposed lease area. The applicant shall confirm the number and the extent of survey transects with the Department prior to conducting the visual survey. The diver shall document the sediment types and features noting erosional or depositional areas. Also document the flora/fauna observed as to their relative abundance. Relative abundance characterized approximately as follows: abundant, always present within the diver's view; common, seen occasionally throughout the dive, may be patchy; rare, only seen once or in a few places throughout the dive.

One copy of the video tape on standard VHS tape format shall accompany the application. Note: Video format is preferred but photographs taken at 10 meter (30 foot) intervals may be submitted if video is not available. If a site is too deep or deemed to be unsafe to be surveyed by SCUBA diver, then remote video or still photography documentation shall suffice. A brief narrative with the tape or photos describing reference points shall be provided. All documentation must include the dates on which it was taken.

b. Hydrography

Objective: To measure current speed and direction; to predict the fate of fecal material and/or unconsumed feed.

Methods: The current shall be measured at three depths: surface, net-pen bottom and 1 meter (3 feet) off the ocean floor. Collect a 15-minute sample at each of the three depths every hour for a continuous period of 16 hours. This represents one tidal cycle. Select an average tide; spring or neap tides should be avoided. Subsurface current meters are preferred. However, flow meters may be used with concurrent surface direction estimated.

Please provide the current data in a tabular format and include the date and tide predictions for that day.

c. Water Quality

Objective: To measure water temperature, salinity, and dissolved oxygen concentrations during peak stratification periods (usually August or September) as an indication of existing or potential water quality problems at the site.

Methods: Water column quality shall be characterized on two separate occasions, one of which shall be conducted between August 15 and September 15. Characterization of water temperature, dissolved oxygen concentrations, and salinity shall encompass two tidal cycles in order to provide a representative description of conditions at the site. At least one profile shall be taken no later than 2 hours after sunrise. A detailed dissolved oxygen profile, consisting of 10 equally-spaced samples over the entire vertical depth, will be measured at the center of the site. This is the same location where hydrography data is collected. Water samples may be collected or an electronic membrane probe may be used to measure the concentrations. Temperature and salinity measurements are also required from the same samples and depths. Readings shall be at

intervals of no less than 3 readings per hour. This data will determine percent saturation and evidence of stratification. Data shall be included in both summarized, or graphical format, and unsummarized format in the application.

Water column dissolved oxygen acceptable methodology and quality assurance procedures to monitor compliance with water quality standards are discussed in the following paragraph.

Although the preferred method is the "Winkler Titration" (Azide modification), of Standard Methods (APHA, AWWA, WPCF, most current edition), the use of the membrane electrode method is acceptable, considering the multiple depths required for the profile. The zero and standard calibration methods described in the most current edition of Standard Methods and the instrument manufacturer's instructions must be followed. Air calibration readings must be recorded at the beginning and end of each interval during which the meter is **on**. One duplicate reading per profile shall be taken and reported to verify that the meter is reading consistently. Furthermore, at the beginning and end of each sample season, calibration curves comparing probe to Winkler readings for at least four dissolved oxygen concentrations ranging from less than 20% to 100% saturation shall be constructed. If more than one meter is used, curves shall be developed for each meter. These curves shall be submitted with all data.

d. Benthic Analyses

Objective: To establish substrate reference data by which future detection of impact to the existing benthos can be measured.

Methods: The applicant must prepare a sediment sampling plan which includes the number and location of sediment samples to be collected for grain size, chemical and biological analysis. Single sediment cores must be collected in an array of samples representative of bottom characteristics of the site. The precise design, number and location are not specified here because of the variety of potential pen configurations and sizes. However, a systematic sampling design (samples at equidistant intervals) which covers the entire area of the total pen area plus 60 meters in each tidal direction (ebb and flood) is required.

We strongly recommend the proposed plan be coordinated with MDEP and EPA prior to implementation to insure the data in your application will be acceptable. This guidance applies to both sediment analysis and infauna samples.

e. Sediments

Objective: To use sediment cores to analyze sediment grain size (% gravel, sand, silt, clay), the depth of the redox discontinuity layer, the depth of the unconsolidated organic layer and Total Organic Carbon (TOC).

Methods: Single core samples collected according to the proposed sampling plan must be inserted to resistance or 15 cm, whichever is less. Depth of the core, depth of any unconsolidated organic material, total organic carbon (cg/g or centigrams per gram) in percent, and grain size distribution (%) from coarse gravel to clay size fractions shall be reported. The

depth of the discontinuity layer shall be measured from the surface using a Plexiglas type corer. The depth of the unconsolidated organic layer can also be measured visually with a Plexiglas corer. Each core's location shall be accurately described. Sediment cores may be taken as a subsample of the benthic cores described in section d above.

Grain size analyses should be performed using the Wet Sieving methods described in Buchanan (1984) (pp. 47-48) or a similar procedure. The standard sieve sizes for gravel, sand, silt and clay shall be used. Full analyses of the silt-clay fractions may be calculated as the difference in dry weight between the original sample and the sum of the sieve fractions down to the 0.062 mm sieve (very fine sand). The fraction in each sieve shall be reported in grams (dry weight) and percent of total (dry weight) including the total dry weight of the initial sample.

The unconsolidated material and the top 2 cm of inorganic sediments shall be collected for the analysis of TOC. The applicant must insure that a minimum of 30 grams are collected for analysis. Multiple cores (which include the top 2 cm of inorganic material) if warranted, will be required.

Total Organic Carbon shall be analyzed using the methods described in the Puget Sound Estuary Program (1986), Hedges and Stern (1984) or Verardo et al. (1990). Methods for TOC and sediment analyses are in appendix 1 and 2.

f. Infauna

Objective: To establish reference data of existing benthic infauna prior to placing fish in the pens. In this way future changes to the infauna can be compared.

Methods: Infauna samples shall be sieved through a 1.0 mm sieve (collection techniques are presented with metric measurements) and organisms identified to species or to the lowest practical taxonomic level. A general characterization of the community structure must be provided with the infauna data and sampling methods shall be described.

Single cores collected according to the proposed sampling plan along the axis of the current. Cores must be inserted to resistance or 15 cm, whichever is less. Depth of the core shall be reported. Individual benthic infauna cores collected by a diver shall have an area of at least 81 cm² (a four inch diameter PVC pipe will suffice). Alternatively, cores may be collected from a grab or box type corer having an area of at least 0.1 m² (1000 cm²). If subsamples are taken from a grab or box type corer for the sediment analysis and the remaining sample used for infauna analysis, no more than one-quarter of the surface of each sample can have been removed for the sediment analysis.

5. AREA RESOURCES

a. Shellfish Beds, Fish Migration Routes and Submerged Vegetation Beds

Provide a description of shellfish beds, fish migration routes and other marine resources in the surrounding area. Provide a map of these resources if available from the local municipality or state agencies.

Provide the shellfish growing area classification for the area of the proposed lease. The classifications are available at either the town office or from the Public Health Division of DMR. Contact information is available at the DMR website: www.maine.gov/dmr/rm/public_health

b. Essential Habitats/Endangered Species

Under the Maine Endangered Species Act a state agency or municipal government shall not permit, license, fund, or carry out projects occurring partly or wholly within an **Essential Habitat** without the approval of the Commissioner of MDIFW. Applicants are strongly encouraged to contact the Environmental Coordinator, Maine Inland Fisheries and Wildlife, 284 State Street, State House Station 41, Augusta, Maine 04333; Telephone (207) 287-3286. Applicants are requested to provide a signed statement to confirm the proposed lease **either** does not fall within the boundary of an Essential Habitat or that the applicant has contacted MDIF&W and by preliminary review MDIF&W will grant approval for the MDMR to issue an aquaculture lease within part or all of the boundary of a designated Essential Habitat.

7. SURROUNDING AREA USE

a. Riparian Property

1. Provide a tax map, chart, or topographic map showing the locations of the lease tract(s), the waters, shorelands and general vicinity of the lease tract(s). Property lines must be clearly marked.
2. List the names and addresses of every riparian owner of land within 1000 feet of the lease tract(s) and the location of their property marked as shown on the map. The map and list of riparian owners must be certified by the tax collector or clerk of the municipality in which the lease tract is located as being an accurate copy of this information as maintained by the municipality.
3. The written permission of every riparian owner whose land to the low mark will actually be used to access the lease site or upon which the lease activities will take place.
4. A description of riparian owner's current use of lease site for purposes of access to riparian owned land.

b. Existing Uses

1. Describe the navigational or other uses of the area(s) by type (recreational, commercial), volume, time (seasonal patterns of use), duration (in the vicinity), direction of traffic, amount of activity.

2. Describe the degree of exclusive use required by the proposed lease and the impact on existing or potential uses of the area.

8. TECHNICAL CAPABILITY

Provide information regarding professional expertise such as a resume' and documentation of technical expertise and practical experience necessary to accomplish the proposed project.

9. FINANCIAL CAPABILITY

- a. Financial Capability
Provide documentation to prove the applicant has the necessary financial resources for the proposed project. For example, the applicant may provide copies of bank statements or other evidence indicating availability of the unencumbered funds or other proof that equipment and seed stock are available to the applicant. See MDMR Aquaculture Regulations chapter 2.10(3)(9).
- b. Cost Estimates
Provide documentation of accurate and complete cost estimates of the proposed aquaculture activities.
- c. Other Lease Interests and Multiple Ownership
List all other aquaculture leases held by the applicant or in which the applicant has a financial interest.
- d. Other Lease Interests and Multiple Ownership Continued
If the applicant is a corporation, submit information as requested under A (Corporate Applicants). If the applicant is in a partnership, submit information as requested under B (Partnership Applicant). MDMR Aquaculture Regulations chapter 2.12(1)-(3).

A. Corporate Applicants

1. The date and State in which Incorporated and a copy of the Articles of Incorporation;
2. The names, addresses, and titles of all officers;
3. The names and addresses of all directors;
4. Whether the corporation, or any stockholder, director, or officer had applied for an aquaculture lease for Maine lands in the past, and the outcome or current status of that application or lease;

5. The names and addresses of all stockholders who own or control at least 5% of the outstanding stock and the percentage of outstanding stock currently owned or controlled by each such stockholder;
6. The names and addresses of stockholders, directors, or officers owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person under MDMR Aquaculture Regulations chapter 2.12(3);
7. Whether the corporation or any officer, director, or shareholder listed in item 5 above has ever been arrested, indicted, convicted of, or adjudicated to be responsible for any violation of any marine resources or environmental protection law, whether state or federal.

B. Partnership Applicant

1. The date and state in which the partnership was formed and a copy of either the Certificate of Limited Partnership or documentation of the formation of a General Partnership;
2. The names, addresses, and ownership shares of all partners;
3. Whether the partnership or any partner has applied for an aquaculture lease for Maine lands in the past and the outcome or current status of that application or lease;
4. Whether the partnership or any partner owns an interest, either directly or beneficially, in any other Maine aquaculture leases as well as the quantity of acreage from existing aquaculture leases attributed to the partnership or partner under MDMR Aquaculture Regulations chapter 2.12(3);
5. Whether the partnership or any partner has been arrested, indicted or convicted of or adjudicated to be responsible for any violation or marine resources or environmental protection law, whether State or Federal.

10. OTHER REQUIREMENTS

The following items must accompany the application:

- a. Performance Bond

Documentation confirming that the applicant has read MDMR Aquaculture Regulations chapter 2.40 and that upon issuance of a lease by the MDMR the lessee will either open an escrow

account or obtain a performance bond determined by the nature of the aquaculture activities proposed as follows -

Structure, discharge	\$ 25,000.00
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APPLICATION FOR NET PEN AQUACULTURE IN THE STATE OF MAINE

U.S. Army Corps of Engineers New England Division (ACOE)

Supplemental Information

Revised Standard Siting Requirements and Standard Permit Conditions 01/17/97

A copy of these revised "STANDARD SITING REQUIREMENTS" and "STANDARD PERMIT CONDITIONS", together with other supplemental information required by the ACOE, shall be included with the "Application for Net Pen Aquaculture in the State of Maine" submitted to MDMR.

These STANDARD SITING REQUIREMENTS and STANDARD PERMIT CONDITIONS will be fully employed unless a decision to deviate from them is made by the Division Engineer after a meeting between the objecting Federal Resource Agency(s) Regional Director/Administrator and the Division Engineer and/or Commander, U.S. Coast Guard (or the designated acting Director/Administrator/Commander) is held pursuant to the local procedures under the 404Q MOA.

A. STANDARD SITING REQUIREMENTS

1. Finfish pens shall not be located closer than 1000 feet from municipal, State or federally owned beaches, parks or docking facilities.

2. Finfish pens shall not be located closer than 1500 feet from any area designated as high use or critical habitat for any threatened or endangered species protected under Federal law. Examples of such areas include bald eagle nest sites and concentration areas used for roosting and feeding. Because bald eagles are protected under the Federal Endangered Species Act of 1973, permits will not be issued to kill eagles that are preying on fish at aquaculture sites (U.S. Fish and Wildlife, National Marine Fisheries Service).

3. Finfish pens shall not be located in or within 1500 feet of any area named in acts of Congress or presidential

proclamations such as national parks, national wilderness areas, national recreation areas, national lakeshores, national natural landmarks, national wildlife refuges, and such areas as may be established under federal law for similar and related purposes.

B. STANDARD PERMIT CONDITIONS

1. Finfish leases shall not interfere with breeding, pupping, or sensitive aggregation area of any federally listed marine mammals (Marine Mammal Protection Act of 1972, as amended 16 USC § 1372). Specific species and known sensitive areas and times are available from the Protected Species Coordinator, National Marine Fisheries Service, Habitat and Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930-2298; Telephone (508) 281-9254.

2. No live finfish of any species at any stage of development post hatching whose source is outside of the North American continent shall be introduced or transported to marine waters within the State of Maine.

3. No live anadromous Atlantic salmon (Salmo salar) whose original source as fertilized eggs or gametes was outside of the North American continent shall be introduced or transported to marine waters within the State of Maine.

4. Only antibiotic chemicals approved by the US Food and Drug Administration shall be applied. All applications must comply with 21 CFR 529, 556, and 558. Prophylactic use of antibiotics is prohibited.

5. There shall be no discharge of pollutants from the facility other than fish excrement, ammonia excretions, unconsumed fish food and medications approved by the US FDA.

6. All mortalities (dead fish), feed bags, fish food fines and other waste materials excluding fish excrements and secretions and unconsumed food, shall be removed daily to the mainland shore and disposed of properly.

7. The permittee must report any incidental take of marine mammals within 48 hours of the event. For information, contact: Protected Species Coordinator, Habitat and Protected Resources Division, National Marine Fisheries Service, Northeast Region, 1 Blackburn Drive, Gloucester, MA 01930-2298; telephone 508-281-9254.

8. The applicant must report any bird entanglements or kills within 48 hours to the Special Agent, U.S. Fish and Wildlife Service, P.O. Box 7342, Portland, ME 04112; Telephone 207-780-3235. The Migratory Bird Treaty Act (16 U.S.C. 703-712) protects migratory bird species from unauthorized and unregulated taking activities. The Act prohibits, by any means or in any manner, the direct or indirect capture, possession, or destruction of any migratory bird, its nest, its eggs, its young, or any parts thereof. Most bird species that would be found around aquaculture sites are protected by the MBTA, but specific questions can be directed to the Special Agent.

9. The aquaculture facility must be open for inspection by the permitting agency(ies) personnel during working hours. In addition the permittee shall make records available upon request by said agency(ies).

10. If, based on a review of environmental monitoring data, degradation of environmental resources, to include Federal and State water quality standards, is indicated, this permit may be modified, suspended or revoked.

11. Boundary markers around the lease area shall be placed and maintained in accordance with appropriate Coast Guard Regulations. The permittee shall contact the First Coast Guard District, Aids to Navigation Office at 617-223-8338.

12. Except in the surface areas physically occupied by the net pen structures, the permittee shall permit normal fishing and/or recreational and commercial boating activity to occur in the project area.

13. The permittee shall provide environmental monitoring data to the National Marine Fisheries Service in accordance with the attached guidelines. Point of contact at the National Marine Fisheries Service shall be Chris Mantzaris at 508-281-9346 at 1 Blackburn Drive, Gloucester, Massachusetts 01930.

14. The exact location of the State lease boundary (boundary coordinates) shall be sent by the permittee to the National Ocean Survey, NOAA, ATTN: Director of Charting and Geodetic Services, Rockville, Maryland 20852.

2. SITE LOCATION

b. Plan View

6b. Also, label weirs within 2000 feet and other similar constraints.

c. Aerial photo

Mark the boundary of the lease area with dimensions and true north arrow. The photo must have been taken during the twelve month period prior to the filing of the application and the date on which it was taken must be noted.

4. OPERATIONS

b. Upland Facilities or Holdings

1. Describe shoreside facilities or holdings to be used for various activities including feed transport, processing, etc.

c. Current Operations

1. Describe your existing water-based facilities and operations.

7. SURROUNDING AREA USE

b. Existing Uses

3. Provide the name and address of individuals, ie. mooring owners, fishermen, draggers, etc. who actively use the proposed site.

c. Point Source Discharge

Describe the location and proximity of the proposed lease to any point source discharges or facilities (sewage treatment plants, seafood processing plants, power plants, industrial facilities, stormwater drains, etc.). The US Coast Guard, local harbormaster or municipal officials may be

able to provide this information.

10. OTHER REQUIREMENTS

b. Local Approvals

Documentation of approval from the local Harbormaster or other official serving in an equivalent capacity;

c. U.S. Coast Guard

Documentation confirming the applicant has read the regulations listed below and understands that a Private Aid to Navigation Permit will be required. The U.S. Coast Guard may require lighted aids to navigation on net-pen aquaculture structures pursuant to 33 CFR §§2,62,64,66 and 14 USC §§83,84,85. Instructions for obtaining a USCG permit are available from Commander (OAN), 1st Coast Guard District, 408 Atlantic Avenue, Boston, MA 02210-2209 Telephone (617) 223-8338;

d. Egg/Fish Source Confirmation

Documentation confirming the applicant understands that no live finfish species at any stage of development post hatching whose source is outside of the North American continent and that no live Atlantic salmon (Salmo salar) whose original source as fertilized eggs or gametes was outside of the North American continent shall be introduced or transported to marine waters within the State of Maine;

e. Other

Copies of any letters or documentation in which you have obtained approval for activities relative to the proposed project.

11. ANTICIPATED EMPLOYMENT

OPPORTUNITY

Describe the anticipated number and type of employment opportunities created by the project at start-up and proposed maximum production

** RETURN APPLICATION AND PLANS TO: US ARMY CORPS OF ENGINEERS, MAINE PROJECT
OFFICE

RR2 BOX 1855, MANCHESTER, MAINE 04351

Instructions for preparing a
Department of the Army Permit Application

Blocks 1 through 4. To be completed by Corps of Engineers.

Block 5. Applicant's Name. Enter the name of the responsible party or parties. If the responsible party is an agency, company, corporation or other organization, indicate the responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked **Block 5.**

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked **Block 6.**

Block 7. Applicant's Telephone Number(s). Please provide the number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer or any other person or organization. *Note:* An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he/she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by applicant if an agent is to be employed.

Block 12. Proposed Project Name or Title. Please provide name identifying the proposed project (i.e., Landmark Plaza, Burned Hills Subdivision or Edsall Commercial Center).

Block 13. Name of Waterbody. Please provide the name of any stream, lake, marsh or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Project Street Address. If the proposed project is located at a site having a street address (not a box number), please enter here.

Block 15. Location of Proposed Project. Enter the county and state where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked **Block 15.**

Block 16. Other Location Descriptions. If available, provide the Section,

Township and Range of the site and/or the latitude and longitude. You may also provide description of the proposed project location, such as lot numbers, tract numbers or you may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile down from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed project site if known.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site.

Block 18. Nature of Activity. Describe the overall activity or project. Give appropriate dimensions of structures such as wingwalls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles or float supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked **Block 18**.

Block 19. Proposed Project Purpose. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work

Block 20. Reason(s) for Discharge. If the activity involves the discharge of dredged and/or fill material into a wetland or other waterbody, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

Block 21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards. Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description will agree with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

Block 22. Surface Areas of Wetlands or Other Waters Filled. Describe the area to be filled at each location. Specifically identify the surface areas, or part thereof, to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into the waterbody. If more space is needed, attach an extra sheet of paper marked **Block 22**.

Block 23. Is Any Portion of the Work Already Complete? Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, areas filled, if a wetland or

other waterbody (in acres or square feet). If the work was done under an existing Corps permit, identify the authorization if possible.

Block 24. Names and Addresses of Adjoining Property Owners, Lessees, etc. , Whose Property Adjoins the Project Site. List complete names and full mailing address of the adjacent property owners (public and private) lessees, etc., whose property adjoins the waterbody or aquatic site where the work is being proposed so that may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked **Block 24.**

Information regarding adjacent landowners is usually available through the office of the tax assessor in the county or counties where the project is to be developed.

Block 25. Information about Approvals or Denials by Other Agencies. You may need the approval of other Federal, state or local agencies for your project. Identify any applications you have submitted and the status, if any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

Block 26. Signature of Applicant or Agent. The application must be signed by the owner or other authorized party (agent). This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a **Vicinity Map**, a **Plan View** or a **Typical Cross-Section Map**. Identify each illustration with a figure or attachment number.

Please submit one original, or good quality copy, of all drawings on 8½ x 11 inch plain white paper (tracing paper or film may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view or cross section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate and contain all necessary information.

*****RETURN APPLICATION AND PLANS TO: US ARMY CORPS OF ENGINEERS
MAINE PROJECT OFFICE
RR2, BOX 1855
MANCHESTER, MAINE 04351

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required)
6. APPLICANT'S ADDRESS	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NOS. W/AREA CODE	10. AGENT'S PHONE NOS. W/AREA CODE
a. Residence	a. Residence
b. Business	b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)

13. NAME OF WATERBODY, IF KNOWN (if applicable)

14. PROJECT STREET ADDRESS (if applicable)

15. LOCATION OF PROJECT

COUNTY

STATE

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, (see instructions)

17. DIRECTIONS TO THE SITE

18. Nature of Activity *(Description of project, include all features)*

19. Project Purpose *(Describe the reason or purpose of the project, see instructions)*

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled *(see instructions)*

23. Is Any Portion of the Work Already Complete? Yes ☐ No ☐ IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

25. List of Other Certifications or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
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*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.



General Application for Waste Discharge Permit

For all discharges to surface waters, except for Over Board Discharge:

Regulatory requirements for the preparation and filing of applications may be found in Chapters 2, 521 and 522 of the Department's rules.

GENERAL INSTRUCTIONS

1. This general form is to be used to make application for the discharge of pollutants to the surface waters of the State, from all source except from privately owned discharges subject to the Over Board Discharge Program requirements.
2. Applicants are responsible for publishing public notice of their application at the time it is filed with the Department. See pages 7 and 8.
3. For a proposed new discharge of wastewater of more than 25,000 gallons per day or a project involving licenses from more than two bureaus in DEP, an applicant must conduct a public informational meeting before submitting an application to the Department. See page 7.
4. In some circumstances an applicant must have a pre-application or pre-submission meeting with the Department prior to filing of an application. See page 9.
5. At the time an application is filed with the Department, a copy must be provided to the municipal office and notice provided to all abutters by certified mail. See page 7.
6. Application fees must be paid at the time an application for a **new** discharge or permit is filed. Contact the Department for additional information and calculation of the fee amount. For existing discharges, fees are charged on an annual basis and application fees are not required with an application for permit renewal.
7. Attach additional sheets as necessary in answering specific questions. Be sure to number each sheet to identify the question to which it pertains.
8. Failure to fully complete all required forms or to pay necessary application fees will result in the application being returned.
9. After completing the application, submit 2 copies to:

Maine Department of Environmental Protection
Bureau of Land and Water Quality
Division of Water Resource Regulation
State House Station 17
Augusta, Maine 04333-0017

10. Please read the entire application form before furnishing any information. If you need any assistance in filling out the form or required attachments, please contact the Department at the above address or by calling (207) 287-3901.
-

this application is for:

New discharge ☐
Renewal ☐
Increased discharge ☐
Transfer of owner ☐
Modification ☐
Other: _____

If assigned:

Permit number: ME _____

DEP number: W - _____ - _____

FACILITY AND APPLICANT INFORMATION

1. Name of Facility: _____

2. Name of Receiving Water(s): _____

3. Name of Owner: _____ Telephone: _____
Address: _____ e-mail: _____
Town: _____ State: _____ Zip: _____

4. Person to whom correspondence regarding this application should be sent (if different from owner)

Name: _____ Telephone: _____
Address: _____ e-mail: _____
Town: _____ State: _____ Zip: _____

5. Facility Address: _____
Town: _____ State: _____ Zip: _____

6. Operator Information (if different from owner)

Name: _____
Address: _____
Town: _____ State: _____ Zip: _____

7. Operator Status: ☐ Federal ☐ State ☐ Other Public ☐ Private ☐ Other _____

NOTE: If a wastewater treatment facility is operated under a contract with third party, the contract for services must be reviewed and approved by the Department.

8. Person in responsible charge of the treatment facility operations

Name: _____ Telephone: _____
Operators license #: _____ Grade: _____ Professional Engineer? _____

9. Nature of business and activities requiring Waste Discharge Permit:

10. Standard Industrial Codes for primary activities, in order of importance.

Code # Name		Code # Name	
#1		#2	
#3		#4	

11. Is this treatment facility or activity located on Indian Lands? ☐ Yes ☐ No

12. List other existing or required environmental permits needed for operation of the facility

Permit	Permit Number	Remarks
Sludge disposal or use		
Air emissions		
Hazardous waste		
Site location		
Underground Injection		
Other (specify)		
Other (specify)		

SUPPORTING MATERIALS AND REQUIRED ATTACHMENTS

12. For **new and transfer applications only** from privately owned facilities, include:

- ☐ A Certificate of Good Standing issued by the Maine Secretary of State.
- ☐ Proof of Title, Right or Interest in the property on which the treatment system and outfall pipes and structures are or will be located. A deed, lease or purchase agreement is required. If any part of the facility or outfall is located on property owned or controlled by another person, submit a copy of a lease or deed easements.

13. For **transfer applications only**, answer the following and skip to the Certification on page 6.

- A. Name of current/former owner: _____
- B. Describe any planned changes in the current discharge: _____
- C. Provide a statement describing the technical and financial capacity to comply with the current permit conditions and applicable laws and rules.

14. Unless submitted previously and there have been no changes, provide a topographic map (or other map if a topographic map is unavailable) extending one mile beyond the property boundaries of the source, depicting the facility and each of its intake and discharge structures (showing latitude and longitude to the nearest 15 seconds), each of its hazardous waste treatment, storage, or disposal facilities; each well where fluids from the facility are injected underground; and those wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant in the map area.

15. If modification of an existing permit is being requested, attach a statement describing the nature of the modification and the reasons or circumstances necessitating the change.

16. Attachments for specific activities and circumstances. For each specific question, check 'Yes' or 'No' to indicate if the statement is applicable to a discharge or activity described in this application. Where 'Yes' is checked, attach the applicable form.

Specific Question	Yes	No	Applicable Form
A. Is this facility a publicly owned treatment works?			DEP Form: Publicly Owned Treatment Facilities (DEPLW1999-21)
B. Is this an existing discharge of industrial process wastewater?			EPA Form 2C
C. Is this to be a new discharge of industrial process wastewater?			EPA Form 2D
D. Is this a discharge of non-contact cooling water?			EPA Form 2E
E. Is this a discharge of non-process wastewater?			EPA Form 2E
E. Is this activity a concentrated animal feeding operation or an aquatic animal production facility?			EPA Form 2B
G. Is this a fish hatchery or rearing facility?			DEP Form: Fish Rearing Facilities (DEPLW1999-18)
H. Is this discharge of storm water associated with an industrial activity?			EPA Form 2F
I. Is this a food processing facility?			DEP Form: Food Processing Facilities (DEPLW1999-19)
J. Is this an application for the use of aquatic pesticides?			DEP Form: Aquatic Pesticides (DEPLW-14)
K. Does this application involve a new or modified outfall structure?			DEP Form: Outfall Information (DEPLW1999-20)
L. Is this an application for a snow dump?			DEP Form: Snow Dumps DEPLW2000-132

OUTFALL AND TREATMENT INFORMATION

Use attachments as necessary to provide details for each discharge point and treatment system.

17. Describe each discharge location. Include all overflows, bypasses, emergency discharge points, etc. Combined overflow points from municipal sewerage systems need not be listed.

Number Description, volume and Receiving Water

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18. If any discharges (other than combined overflow points from municipal sewerage systems) are intermittent or seasonal, please describe the nature, circumstances and duration of each.

municipal sewerage systems) are intermittent or seasonal,

19. Briefly describe current treatment facilities or methods for each discharge.

20. If this is a renewal application, please describe any modifications to the treatment facilities since the last permit application was filed.

21. Are new or expanded treatment facilities or outfall structures being proposed? ____ If so, please include a construction schedule. Plans and specifications must be submitted to the Department for review and approval prior to construction of the facilities.

22. If this application is for a new or increased discharge, include a statement that:

- A. describes in detail the nature of and reason for the requested increase in pollutant loading to the receiving water;
- B. if the Department determines that the discharge will diminish the remaining assimilative capacity of the receiving water, demonstrates that alternative methods to reduce or eliminate the increased discharge are not feasible. Include engineering and economic analyses that consider alternative methods of production, process controls, wastewater minimization methods, improved wastewater treatment methods and alternate disposal sites; and
- C. if the Department determines that the discharge will diminish the remaining assimilative capacity of the receiving water, demonstrates that the increased pollutant load will result in important social and economic benefits to the State.

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Additionally, by signing below, I certify that (1) notice of this application has been made by publication in the _____ newspaper on or about _____ (a copy of the advertising form is included in this application); (2) notice has been provided to owners of land abutting the discharge site; and (3) notice and a copy of this application have been provided to the clerk of the municipality(ies) where the discharge is located. Further, if this is a new discharge over 25,000 gallons per day, a public meeting attended by approximately _____ members of the public was held on _____. The foregoing steps have been taken in accordance with the instructions attached to this application and the provisions of Chapters 2 and 522 of the Department's rules.

By:

Signature: _____ Date: _____
Printed Name: _____
Title: _____

Assisting Parties. If the applicant has been assisted in preparing this application, the person assisting must sign below.

Signature: _____ Date: _____
Printed Name: _____ Telephone: _____
Affiliation: _____
Address: _____
Town: _____ State: _____ Zip: _____
Professional Registration or Certification: _____

See following pages for requirements on public notice, public meetings, pre-applications meetings and pre-submission meetings.....

Instructions for providing notices of the application. For all applications, the first 3 items must be completed. If the application is for a new discharge, you must also complete item 4.

1. *Publication of Public Notice.* Applicants for waste discharge permits are required to publish a public notice that the application is being file with the Department of Environmental Protection. The notice must be published within 30 day prior to the application being sent to the Department. The notice should be published in the legal advertisement section of a daily or weekly newspaper having general circulation in the area where the discharge will occur. If the public notice is not published at the proper time or if the application is returned because it is incomplete, you may be asked to have the notice published as second time.

Using the form on the next page, fill in the blanks with the appropriate information. Strike out all of the items (CSO, multiple discharge sources, etc.) in the second paragraph that do not apply to your discharge. The form may then be sent to the newspaper that is to publish the notice. Additionally, include a copy of the form with the application filed with the Department.

2. *Notice to Abutters.* Applicants are also required to send a copy of the public notice by certified mail to all abutting property owners within 30 days prior to the application being filed with the Department.

3. *Notice to Municipal Office.* Applicants are required to send a copy of the public notice by certified mail to the town or city clerk of each municipality where the discharge is located within 30 days prior to the application being filed with the Department. Applicant must also file a duplicate copy of the application with each municipality.

4. *Public Meeting.* Where the application is for a new discharge of greater than 25,000 gallons per day, you must hold a public meeting in accordance with Chapter 2, Section 8, of the Department's rules. Notice of the meeting must be sent to abutters and the clerk of the municipality(ies) where the discharge is located at least 10 days prior to the meeting. Notice of the meeting must be published in the same newspaper used to publish the notice of filing.

After all required notices have been made, sign the statement on the Certification page of the application.

NOTICE OF INTENT TO FILE
MAINE WASTE DISCHARGE PERMIT APPLICATION

Please take note that, pursuant to 38 MRSA, Sections 413 and 414-A, _____ of _____ (name) intends to file a wastewater discharge permit application with the Department of _____ (address) Environmental Protection (DEP). The application is for the discharge of _____ (volume) of _____ to the _____ in _____, Maine. (describe waste source) (receiving water) (municipality)

Include as applicable:

CSO: Included in this application is the discharge from _____ Combined Sewer (number of points) Overflows to _____. (list all receiving water)

Multiple industrial point sources: The application includes _____ (describe all additional or secondary point sources) associated with the primary activity described above.

Antidegradation: The application proposes a new or increased discharge that may lower existing receiving water quality within its legal classification, and the application contains a statement regarding important social and economic benefits resulting from the activity causing the discharge, pursuant to 38 MRSA, Section 464.

Mixing Zone: The application includes a request for establishment of a mixing zone in the _____, inside of which classifications standards and uses not need to be met, (receiving water) pursuant to 38 MRSA, Section 451.

The application will filed on or about _____ and will be available for public inspection at DEP's (date) Augusta office during normal business hours. A copy may also be seen at the municipal offices in _____ (municipality).

A request for a public hearing or request that the Board of Environmental Protection assume jurisdiction over this application must be received by the DEP, in writing, no later than 20 days after the application is found acceptable for processing, or 30 days from the date of this notice, whichever is longer. Requests shall state the nature of the issue(s) to be raised. Unless otherwise provided by law, a hearing is discretionary and may be held if the Commissioner or the Board finds significant public interest or there is conflicting technical information.

During the time specified above, persons wishing to receive copies of draft permits and supporting documents, when available, may request them from DEP. Persons receiving a draft permit shall have 30 days in which to submit comments or to request a public hearing on the draft.

Public comment will be accepted until a final administrative action is taken to approve, approve with conditions or deny this application. Written public comments or requests for information may be made to the Division of Water Resource Regulation, Department of Environmental Protection, State House Station #17, Augusta, Maine 04333. Telephone (207) 287-3901.

Pre-application and pre-submission meetings

Pre-application meetings. Pre-application meetings between the applicant and the Department are an opportunity for the applicant to determine the statutory and regulatory requirements that apply to a specific project and to identify a Project Manager for the application. The purpose of these meetings is to identify issues, processing times, fees and the types of information and documentation necessary for the Department to properly assess the project. The applicant shall consult the appropriate bureau Permit Assistance Coordinator to determine what information the applicant must provide before or during a pre-application meeting. Any applicant may request a pre-application meeting. The Department shall make a date available for the meeting as expeditiously as possible, but no later than 30 days from receipt of a written request and receipt of all information required for a pre-application meeting by the bureau. The Department shall prepare a written summary of all pre-application meetings.

For waste discharge permits, pre-application meetings are required prior to submission to or acceptance by the Department of an application for the following:

New wastewater discharge license for a discharge greater than 25,000 gallons per day (38 M.R.S.A. Sections 413, et seq.);

Projects requiring new or amended licenses involving more than two bureaus.

Pre-submission meetings. Pre-submission meetings between the applicant and the Department occur after the applicant has finished preparing the application for submission. These meetings are an opportunity to review the assembled application to ensure that the necessary information has been included prior to filing the application with the Department. An applicant may request a pre-submission meeting by contacting the Project Manager, or the Permit Assistance Coordinator for the bureau if no Project Manager has been identified. The Department shall make a date available for the meeting as expeditiously as possible, but no later than 20 days from receipt of a written request.

For waste discharge permits, a pre-submission meeting is required prior to submission to or acceptance by the Department of an application for the following:

Any application for which a pre-application meeting was held; or

Any application that has been previously rejected by the Department (see Chapter 2, Section 7-B of the Department's rules).

Waivers. The requirement of a pre-application or pre-submission meeting may be waived by written notice from the Department and agreement by the applicant. The Department will agree to waive a pre-application or pre-submission meeting if the Department is satisfied that such a meeting would be of no value in achieving the purposes noted above.

Note: The waiver of a pre-application or pre-submission meeting required for new discharges of more than 25,000

meeting does not waive the public informational gallons per day.

